## THE EPISCOPAL COUNCIL.

A VARIED DAY'S WORK. REPORTS UPON FOREIGN AND DOMESTIC MISSION. AND CHRISTIAN EDUCATION-DISCUSSION UPON A

NEW BAPTISMAL RUBRIC-THE PROPOSED COM-

MISSION FOR RUBRICAL REVISION-THE SECRET

SESSION-THREE NEW BISHOPS CONFIRMED. The proceedings of the Protestant Episcopal Convention yesteraday were very interesting, owing to the variety as well as the importance of the subjects considered. A long report upon Foreign and Domestic Missions, and another upon Christian Education, were read. Two long discussions took place, one upon the proposed rubric in the office of Infant Baptism, and the other upon the desired Commission on Rubrical Revision. In secret session the new Bishops of Northern Texas, Western Texas, and Northern California were confirmed, while the nomination for Missionary Bishopric of Shanghai was passed over for the day, on account of the opposition to it.

THE PROCEEDINGS. The early hour at which the House of Delegates meets now does not seem to please the majority t the members, for the number present at the opening of the session is gradually diminishing. At noon yesterday there was a very good attendance. The gallertes were filled with ladies, most of whom were standing in order to catch the words spoken below, and the shawle hanging over the railing formed a series of bright-colored festoons, almost regular in its arrange ment. It is hardly reverent to call the large number of clergymen and laymen, who watch the proceedings the lobby—one gentleman called it the "third estate"—but this assemblage was very large yesterday. The proceedings were very interesting, and this accounted probably for the large attendance. Regeneration, rubrical revision, and the election of four bishops were under discussion In the open session, when the first two were discussed, the deputies generally manifested a desire to hasten matters as fast as was compatible with their importance, but many wanted to talk, so there was much reiteration. As the end approaches, the discussion becomes more earnest, but is good-natured withal, and marked by many a jest. So it was in the discussion on the Baptismal rubric. The hour had clapsed, and it was time to take up another subject. Dr. Adams, who is said to be of Irish nativity, wanted to continue the discussion, but Mr. Weish said "no." "I hope we shall continue the discussion in English, not in Welsh," said Dr. Adams. "I shall be satisfied," was the answer, "as long as it is not in Irish." Prof. Coppée's speech upon changing the Baptismal rubric, also was rather humorous, and brief also, though it expressed his sentiments. This

was it:

Hark, in the lobby hear a lion rear,
Sav. Mr. Speaker, shall we shat the door?
Or, Mr. Speaker, shall we let him in.
To see now quick we'll turn him out again?"

Those who were shut out during the secret session certainly had as pleasant a time as those inside. A repre-sentative of the Low Church met an advanced Ritualist, and seen they were engaged in a discussion, becoming the center of a circle of eager listeners. A bloodless theological battle was fought, but who carried off the spoils of victory no one knew. Possibly they divided them, for both were soon sitting amicably together, talking with a reporter, in which position another cleripal gentleman ," took their pictures," adding to it a back view of one of the bishops, who was complimenting the two upon their peaceful relations. The crowd gath ered again to laugh at the sketch, and after a lively exchange of repartée, the conversation turned upon church trials, and was broken off when the delegates issuing from the church turned attention again to the business inside.

Five messages were received during the day from the se of Bishops. The first concurred in the action of the House of Deputies in selecting Boston as the place for holding the next General Convention; the second for bolding the next General Convention; the second ratified the change in Article IV. of the Constitution respecting Bishops, confining the exercise of the office within their ewn dioceses, thus making it permanent law; the third approved of the revised Lectonary for Lenten Days, Ember Days, and Rogation Days, directing the same to be sent to the dioceses to be adopted until the next General Convention; the fourth concurred in the erection of a new diocese within the present diocese of Wisconsin, and the fifth approved of the revised Hymnai, but did not concur with the House of Deputies in the resolution, which made a further revision possible. With the exception of the second measure, which was concurred in, the communications were all placed on the calendar for the future action of the House.

from the Committee of Domestic and Foreign Missions, the points of which were embraced in the following resolution, which was adopted:

Rectuition, which was notopied:

Whereas, The Board of Missons is seriously considering a proposa
embrace the several departments of mission work in one large comittee to discuss all important subjects with the view of promoting harnious action, and then commit the several departments to submission of the committee of the committees; and

Whereas, A resolution has been adopted by the Board of Missions re
ferring this important subject to a large committee for consideration

ferring this important suggest to make the property therefore Resolved, the House of Bishops concurring. That in the event of the approval by the Board of Missoons, when the General Convention is not in escaled, of the pian referred to in the foregoing preamble, said Board is bereby authorized to appendit eight additional members to their Standing Committees, making 24 m all, to carry out such pian as may be adopted by the Board of Missions, and to report to the General Convention, at its next session, such amendments of the constitution as may be resonant to give the pian stability and authority.

The proposition amending the Constitution of the Board of Domestic and Foreign Missions, by which no person could be appointed, except with the express consent of the Board of Missions, until after the conference with the ecclesiastical authority of the Diocese to which he belongs; that such appointed should not officiate in any other Diocese than that to which he was appointed, except when called by the ecclesiastical authority thereof, and that no clerical missionary should be appointed except the be in regular standing in the Protestant Episcopal Church, or of a church in full communion there with, excited considerable debate on the possibility of persons being under pay of the Protestant Episcopal Church, and was, therefore, with the report, referred back to the Committee, who were to bring it before the Board of Missions for revision.

The Rev. Prof. E. E. Johnson of Connecticut presented a long report on Caristain Education, showing the necessities for more active measures. The Rev. Dr. Wilson anding the Constitution of the Board

Inc. Rev. 1701. E. E. Jonsson of Connecticut presented atong report on Caristain Education, showing the necessities for more active measures. The Rev. Dr. Wilson of Central New-York, from the Special Committee for the translation of the Prayer-Book in Spanish, reported that the Committee had made partial progress, requested that the Committee should be continued, and that the President should fill all vacancies. This was placed on the calcudar.

THE BAPTISMAL RUBRIC.

The first absorbing topic that came up was the report of the Committee on Canons in regard to Baptismal Service. The proposition was to add this Rubric at the

of the Committee on Canons in regard to Baptismal Service. The proposition was to add this Rubric at the end of the Office for Infant Baptism:

The minister may, at his discretion, omit the exhoristical preceding the Lord's Prayer in the above Office, and in place of the Thanksgiving substitute the Collect for Easter Reva. This Embris, bonewer, is not to be construed as implying any change in the octivise of the Church. In the discussion which followed, the Rev. Dr. Audrews of Virginia, Mr. Burgwin of Pittsburgh, Mr. Wilder of Minnesota, the Rev. Dr. Garrison of New-Jersey, Mr. McCrady of South Carolina, the Rev. Dr. Breek and Prof. Coppée of Central Pennsylvania, and the Rev. Dr. Shattuck of Massachusetts took part. A summary of the whole discussion will be found below:

The Rev. Dr. Andrews of Virginia said the Committee did not propose to change the Prayer-Book or dectrine. nor to make a change in the Rubric at once; but to send the matter to the dioceses for consideration, so that at the end of three years it could be taken up and acted upon. In voting on the measure no individual hazarded his vote. This was not a new question, but one which had disturbed the Church for some time. He said there were three classes in the Church who joined in the appeal; first, those who did not find Scripture authority for the word "regenerate;" secondly, those who thought the doctrine had a tendency to be percerted, and, thirdly, those who, holding different theories, believed that the petition was reasonable and should be granted for the sake of peace. There were also three classes who objected to the proposition: first, those who were so conservative as to object to any change in the Prayer-Book; secondly, those who objected to the revision of the Prayer-Book and, thirdly, those who objected to the revision of the Prayer-Book and, thirdly, those who objected to the revision of the Prayer-Book and, thirdly, those who objected to the revision of the Prayer-Book and, thirdly, those who objected to the revision of the Prayer-

men to leave the Church. Let the Church decide this matter three years hence, but let this Convention give it the opportunity of so doing.

Mr. Burgwin of Pittsburgh said he objected to the measure as it was presented, because it was founded on the failacy that this Convention could refer the matter to the next General Convention. Before any alteration could be made it must be approved by two General Conventions. If this Convention favored the measure, each member should vote for it; if not, vote against it. This was the duty of each deputy. He had not heard any single individual say he could not use the word conscientiously. He was opposed to the plan by which the measure was to be accomplished. It should have been referred to the proposed Commission on Rabrical Revision. The advocates had said the change would prevent many from leaving the Church, and might bring back those who had left. He was opposed to any change except by general rubrical revision. Many had already said that this Convention had been bound hand and foot, and given over to the Low Church. As to the charges that the Church was diffting in the wrong direction, and that some had to leave the ship before she sank, that was refuted by the two leading votes of the session. He was willing, when he saw a coming danger, to meet it with special legislation; but until he saw that danger he was opposed to any change in the Prayer-Book or its rabrics, except by the course proposed.

Eli T. Wilder of Minnesota thought the question might be met by an amendment of Article 8 of the Constitution; but also thought the Prayer-Book was too sacred a thing to be touched during an excitement.

The Rev. Dr. Garrison of New-Jersey did not desire either High Church or Low Church legislation. The Church had not only to deal with the problem of the Angio-Saxon race, but sits of he Indian, Nexro, Chinese, and other races. In this sge of the world every element of thought should be used—the cicance of the mediaval

should be observed to draw the lines to separate error from them. Ro man can say to day what is the law on ritualism or church ernamentation. What the law is should be defined, and then dived up to. As it is, there was scarcely a clergyman who had not violated some one of the rubrics. It would be ffolly for a missionary to expect an ignerant congregation to use the responses; then why continue to encourage lawlessness: He desired catholic liberty. If necessary, let this matter be under consideration three or six years, or even haif a century; but it should have some consideration.

The debate was cut off by the calling for the special order for the consideration of the report of the Committee on Canons declaring that the service for Morning Prayer, the Litany, and the office for Holy Communion could be used as distinct services if necessary, and providing for the appointment of a Joint Commission, composed of seven bishops, seven pressysters, and seven layen, to take into consideration the whole subject of rubrical revision, and report at the next General Convention.

RUBRICAL REVISION.

RUBRICAL REVISION.

At noon this discussion was dropped, and the report of the Committee on Canons, proposing a joint com-mission on rubrical revision, was brought up. The discussion of the Baptismal service naturally flowed into this channel, and many of the addresses would have served as well under one head as under the other. Judge Oils of Illinois was the first speaker. He argued that the Prayer-Book had been in use for so long a time, since 1661, without material change, and so many of its rubrics were tacitly overlooked, that it was hardly worth while to make much change now. He thought the Church had about as much law now as it could enforce. He was not in favor of a narrow church, which would be the result if a decision were reached to cut out or put in any phrases or rubrics. He was afraid to have the Prayer-Book tinkered; all action, as in the case of Ritualien, would be a compromise.

suit if a decision were reached to cut out or put in any phrases or rabrics. He was afraid to have the Prayer-Book tinkered; all action, as in the case of Ritualism, would be a compromise.

Judge Otis's ten minutes were soon up, and Montgomery Blair claimed the attention of the House. He attacked the idea of a roving commission, which would be seeking out sections of the Prayer-Book which they might tinker to suit various tastes. Their researches would only result in the collection of material for an idle and unprofitable debate at the next Convention. "Where there is no necessity for a change."

The Rev. Dr. Sullivan of Illinois was the next speaker. He thought circumstances demanded a revision, giving as witnesses of the urgency of the matter the large number of petitions and memorials which had been received. Speaking of the assertion—though he desied that it was made—that some might be driven from the Church if they were not retained by some concession, he referred very strongly to the Reformed Church movement. "I regard," said he, "that miserable Reform movement with neither fear nor favor. It is perfectly true, when I go back to Scripture, that I can flud warrant for it. I can flud it in the Oid Testament. I find it in the Cave of Adulism, where every one that was in distress or debt went." One delegate thought this was rather personal, but Dr. Sullivan kept on, urging at the close that he favored the revision for the sake of the weak consciences in the Church.

When Dr. Huntington of Massachusetts, who spoke next, took the platform, the undertone of private discussion was immediately husbed. He is a very younglooking man, and it seemed strango to see the House, with its multitude of gray-haired veterans, listening so intently to the words of one who, though nearly 40 years old, looks among them like a senior just from College. He has a slight and compact form, a fresh face, with slight brown side whiskers and hair; but he speaks with authority, weighing carefully his words, delivering them as weth consci

vas so much knowledge in the Church. The Rev. J. H. Ward of Maine and the Rev. Dr. Wat

was so much knowledge in the Church.

The Rev. J. H. Ward of Maine and the Rev. Dr. Watson of North Carohug both spoke in favor of the measure. Before the discussion was closed for the day, by the arrival of the time for the secret session, Jacob Thompson offered a resolution changing the commission into a committee to appoint a commission, which was not acted upon.

A communication was received from the Rev. Stephen H. Tyng, jr., offering the use of the Church of the Holy Trinity for the closing services of the Convention. After some favorable remarks from the President, the letter was referred to the Committee on the Closing Services, which subsequently reported a resolution of thanks to the Rev. Dr. Tyng, jr., but added that, as the Convention had been held in St. John's Chapel, the closing services would be held in the same piace.

The rest of the afternoon was occupied with a secret session. A long debate ensued on the confirmation of Dr. Orrick, his opponents alleging that he did not believe in Apostolic Succession. In order to give his friends an opportunity to refute the assection, the question of his confirmation was laid over for the present. The Rev. Dr. Garrett was confirmed as Missionary Bishop of Northern Texas by the following vote by discesses and orders: Ciercal—Yeas, 30; Nays, 10; divided, 1; total, 41. Lay—Yeas, 26; Nays, 3; divided, 2; total, 42. Lay—Yeas, 26; Nays, 3; divided, 2; total, 43. Lay—Yeas, 26; Nays, 3; divided, 2; total, 44. Lay—Yeas, 26; Nays, 3; divided, 2; total, 46. The Rev. Dr. Winneld was confirmed as Missionary Bishop of Worthern California, only one diocess objecting on the elerical vote, and the lay vote being manimous. It was stated yesterday that the Rev. Dr. E. N. Potter, President of Union College of Schenectady, would be chosen to fill the new Bishopric of New-Jersey.

## SOME OF THE CHARGES AGAINST HIM-BISHOP COXE

ONE OF HIS OPPONENTS-REPLIES TO QUESTIONS. The General Convention having removed the

injunction of secrecy in the case of the recent debate on the confirmation of the Rev. Dr. Seymour as Bishop of Illinois, the Rev. Dr. W. S. Perry, Secretary of the ase of Deputies, has been authorized to give access to all the papers in the case. The first paper, introduced early in the debate, was the report of the Committee from the House of Bishops, appointed to inquire into the troubles at the General Theological Sci nary arising from a disagreement between Dr. Seymour, as Professor of Ecclesiastical History, on the one hand, and the Dean and the Professors of Biblical Learning, of Pastoral Theology and of the Canon Law on the other hand. A basis of agreement was arrived at declaring that the Dean and Professors did not intend to act ungenerously to Dr. Seymonr, nor to impeach his general conduct and teaching; and, in consequence of such declaration. Dr. Seymour withdrew his published Defense," and the Faculty withdrew their resolutions. The Committee, however, "thanked the Faculty for dis-countenancing the error" of the Real Presence in the Elements. The next paper was introduced by Judge H. W. Sheffey on Oct. 21, it being a letter addressed by the Bishop of Western New-York to Judge James M. Smith of Buffalo under date from New-York, Oct. 17, 1874. It is

of Buffalo under date from New York, on the last of llows:

My Dear Judge Smith: The facts are substantially as they have been reported to you. I could say many things in favor of this candidate with entire truth, and teatimonnals might be multiplied in his favor without any duplicity. But the whole truth would reveal another class of facts, and I suppose Dr. S. himself would not deny that as a professor in the Seminary he has steadfastly resisted the noble efforts of his colleagues, such as Drs. Seabury and Vinton, who have labored to maintain the doctrine of this Church respecting the Holy Eacharist, and the provisions of the Rubric for its solemn celebration, pure and undeflied. These things became known to me in the discharge of official duty as a "Visitor" and a member of a Committee, and I regret to say that the learned Professor was forced to confess to me that, with his knowledge and consent, a reverend gentleman well known as an active agent of the C. B. S., or of the system it sustains, was permitted to lecture to students of the Seminary, in a private room, on his peculiar views of the "Holy Eucharist." It is with extreme regret that I mention these facts, which I have desired an option of the state of the state in the Board of Trustees of the as follows:1 that I mention these facts, which I have desired at portunity of stating in the Board of Trustees of Seminary, and only there. As you well know, howe Seminary, and only there. As you we have, now experiment, the impossibility of assembling that Board, or any fair proportion of them, has operated to render the investigation of facts an impossibility, for many years. The facts ought to be known, however, and the Church must be awakened to her responsibilities in such momentous concerns. Faithfully yours, A. CLEVELAND COXE.

Information having been furnished Dr. Seymour of

the charges contained in the above letter, the Rev. Dr Spalding of Pittsburgh presented papers the next day, denving that Dr. Seymour ever allowed or knew of any priest of the Confrateruity of the Blessed Sacrament lecturing to any students in the Seminary, and that he never permitted any one to lecture or address the students without the consent of the Faculty; that he utterly disavowed the doctrinal statements of the extract of the sermon placed on the minutes of the Fac ulty. On the following day Wm. Welsh of Pennsylvania introduced two letters from Bishop Coxe, one written on Oct. 4, 1873, to the Rev. Dr. Forces, and the other ou Oct. 21, 1874, to Mr. Weish. The Bishop said among

other things: other things:

When I expressed my surprise to Dr. Seymour that a volunteer professor had heen introduced by him within the walls of the Seminary, he derended himself on the general ground that the person was "a presbyter of the Church." In reply to another question, I must add that in examining one of my candidates, who reluctantly admitted his knowledge of the facts, I found that he had been present at one of these volunteer lectures, in which extravagant and false views of the Holy Eucharist were exclusived. Nothing but a very extraordinary doubleity inculcated. Nothing but a very extraordinary duplicity can put any construction on these facts which good men can accept as satisfactory.

The Rev. Dr. Stringfellow of Alabama presented a long series of questions to and answers from Dr. Sey-mour. The account which he gave of the Rev. Mr. Grafton's visit to the Seminary and the explanation of his own views in relation to Eucharistic Adoration and Confession are reproduced below as the most interesting portions of this document:

The Rev. Mr. Grafton on one occasion called upon a student at his room in the Seminary, and while there other students in neighboring rooms heard of his prescuce, and came in to see him, and requested him to tell them about Cowley and the plan and purpose of the brotherhood of which Mr. Grafton is a member. The Rev. Mr. Grafton, as I was informed after the occurence, had no design when be called of holding any

such conversation; it was simply accidental. I did not learn of it until some time after it took place, and I had nothing whatsoever to do with it.

I held, in accordance with the standards of the Church of Eugland, "that no adoration is intended or ought to be done either unto the Sacramental Bread or Wine there bodily received, or unto any corporal presence of Christ's natural Siesh and Blood. For the Sacramental Bread and Wine remain still in their very natural substances, and, therefore, may not be adored, (for that were idolatry to be abhorred of all faithful Christians); and the natural Body and Blood of our Savior Christ are in heaven, and not here, it being against the truth of Christ's natural body to be at one time in more places than one." I hold, also, in accordance with our Twenty-eighth Article, that "the Body of Christ is given, taken, and eaten in the Supper only after an heavenly and spiritual manner, and the mean whereby the Body of Christ's received is faith." I hold, also, with the same Article, that "the Sacrament of the Lord's Supper was not by Christ's ordinance reserved, carried about, lifted up, or worshiped."

I have never taught, encouraged, or practiced the habit of private or Sacramental Confession, and I have never seen the fruits of such a practice in others, and hence I am not able to say what such fruits would be. I only know of Confession as it is taught and allowed by the standards of the Protestant Episcopal Church and sanctioned by the Bishops in their Pastoral of 1871.

Q Did you, or do you ever, when present at the Holy Communion, practice be being in their Pastoral of 1871.

Q Did you, or do you ever, when present at the Holy Communion, practice bowings, crosslogs, kneelings, genuffections, or any bodily act intending thereby to express any adoration of the Sacrament A. I have never on any occasion done so; nor could I possibly do so, since I do not wish, nor have I ever at any time desired to pay such adoration. Sach adoration would be contrary to my convictions; it woul

AN ELECTION VICE TO BE SUPPRESSED.

THE MAYOR EXPRESSES HIS INTENTION OF STOP-

PING POOL-SELLING ON ELECTION RESULTS. The Mayor sent to the District-Attorney last Monday a communication asking whether or not the system of election pool-selling is contrary to law. The District-Attorney has given a reply in the affirmative, and the Mayor says he will now take such action as he deems best calculated to put an end to the system. Following is the correspondence:

as he deems best calculated to put an end to the system. Following is the correspondence:

The Hon, Berj. K. Phelps:

For several years past what are known as election pools have been sold in this city to its great diagrace, the injury of the public morals, and the degradation of the elective franchise. In that way the gamblers, the most unworthy part of our population, have sometimes been able to exercise a material influence upon the results of an election. Nothing could be more offensive to all good citizens, and I am determined to do all I can to prevent a repetition of the offense.

I request you, therefore, with the least possible delay, to advise me if any and what laws for the punishment of this grave offense are in force. I do not know the precise form of the offense, but I understand it to be a species of betting upon contesting candidates, by which the person paying in money pool and successful candidates. I assume that it must be a violation of law. If it be, I desire to send the answer I may receive from you to the proper public officers, in order that any attempt to perpetrate the offense may be immediately stopped and all engaged in it arrested and punished. I am, very respectfully, your obdient servant.

Mayor's Office, Oct. 26. 1874. W. F. HAYEMEYER.

The Hon. W. F. HAYEMEYER—My Dear Sir: I beg to acknowledge the receipt of yours of the 26th inst., requesting my advice as to whether there is any provision of law by which the practice of selling pools on elections can be stopped and punished. By the Revised Statutes it was made a misdemeanor "to win or lose at play or by betting at any time the sum or value of \$25 within the space of 21 hours." The gambling act of 1851 makes it a misdemeanor to keep a room, building, &c., to be used or occupied for gambling. Whether or not what is called "pool-selling" would come within the provisions of the law prohibiting gambling, has never been determined by the courts of this State. The practice of selling pools has, I bolieve, grown up since the passage of

District Attorney's Office, Oct. 28, 1874

THE IMMIGRANTS SAFEGUARD MENACED.

THE COMMISSION AT CASTLE GARDEN IN NEED OF A QUARTER OF A MILLION-THEY ARE UNABLE TO PAY THE BILLS OF THE COUNTY SUPERINTEND-ENTS OF THE POOR.

The financial embarrassments of the Board of Emigration do not seem to be in the way of speedy relief. Without an appropriation from the State they will be unable to make up their arrears. The amount necessary to place the Commission on a firm financial basis again is estimated at \$250,000. The reasons of the deficit in their accounts are the reduction made in 1870 of the commutation fee or head money on immigrants from \$2 50 to \$1 50, and the great falling off in the num ber of immigrant arrivals, especially during the last year. So much has the income of the Commission year. So much has the income of the Commission decreased that they have been unable to pay any rent for Castle Garden during the last year, and many salaties have been reduced, employés discharged, and other economical measures taken, on the same account. Castle Garden has fallen into decay and become dangerous to the lives and health of its inmates, but no appropriation for its repair has yet been made and although the amount required for that purpose is only about \$15,000, the Commissioners will experience considerable trouble in raising it, if it has to be done by themselves, as at present seems probable. They have referred the matter to the Castle Garden Committee The following letter, which has been sent to the Superintendents of the Poor in the various counties throughout the State is an evidence of the perplexity felt by

the Board on account of its want of money ;

nigrant Refuge, Hospitald, are the property lands at Ward's Island, are the property are. Yours very respectfully, GARRET BERGEN, Treasurer.

SPEER'S RAPID TRANSIT SCHEME. The Committee appointed by the Society of Civil Engineers to examine schemes of rapid transit, accompanied by Gen. Barnard and Gen. Graham, visited Mr. Speer's model of an endless railway train at No. 82 Warren-st. yesterday. This plan is popularly known as the "traveling sidewalk." The design is to have a track elevated on pillars about 14 feet high, upon which is to run a continuous series of platform cars. 10 or 12 feet wide, and from 30 to 40 feet long. They are to pe closely coupled, forming a long platform or "side-walk." This is kept in constant motion by means of engines situated under ground at intervals of a mile. The cars are to be furnished with suitable draw The cars are to be furnished with suitable drawing-room apartments for protection from storms and cold, while the platforms will be provided with chairs and settees. If desirable the whole platform may be covered with an awning. The elevated train will be level with the second story, and will run up and down on opposite sides of the same street, or will run up on one street and down on another. The space between the track and the buildings adjacent will be about twelve feet. The means provided for entering and leaving the moving train are most ingenious. On the edge of the fixed way adjoining the moving walk is placed a track on which one wheel of the transfer cars runs. These transfer cars are arranged with divided axles, so that the wheels on the moving platform move independently of those on the fixed platform. The brake when applied to one side releases the other. The transfer car, therefore, stops and starts with a slow motion, and passengers can enter or leave while the platform is constantly moving. Stations are to be built at every street corner, and it is estimated that a speed of 15 or even 20 miles an hour may be attained. The driving motion is accomplished by friction rollers, so that if an accident should happen to one engine it would not interfere with the others, and the platform would be in motion night and day. The cost, it is said, will not exceed \$250,000 per mile, equipped and stocked. It is further claimed that the passengers may walk in the direction in which the train is moving, and thus increase the high rate of speed mentioned. Compotent engueers have pronounced this plan "perfectly practicable, and the most conomical" that have seen. The Committee spent as hour in example ing-room apartments for protection from storms and

ining Mr. Speer's model, the Hength of which is over 80 feet, and seemed astonished at its ingenuity, and said that it was far superior to what they had expected.

THE ERIE COLLAPSE.

THE ERIE COLLAPSE.

From The London Exonomist, Oct. 17.

The report of the English accountants, appointed some months ago to inquire into the actual state of the secounts of the Erie Railway, has apparently caused a panic in Erie bonds and atock, and in the securities of the Atlantic and Great Western Company, which has somehow succeeded in fastening itself on to the Erie. Nor is the solilapse to be wondered at. When Jay Gould was evicted from possession of Erie property, about two years ago, a great fourish was made about the line having at length been put into honest hands and the future security of English interests. It was on these grounds that English shareholders were invited to overlook the "irregularity" of the means adopted to dispossess Jay Gould, and that the English public were also invited from time to time to subscribe for issues of bonds by which the line was to be extended and developed. But the report now issued shows that the management if honest in intention, has been almost as injurious to English interests as the management of Jay Gould. The net result is that in the two years ending 30th September, 1873, the Company has increased a deficit at the debit of profit and loss account from \$456,000, at which it really stood in September, 1871, to \$2,331,000, or nearly half a million sterling. This they had done by assuming as correct an apparent balance at the credit of profit and loss derived from the old management by omitting certain items of expense from their own accounts of working and otherwise dealing with the accounts of working and oth It only remains to add that nothing is yet known of the accounts of the Eric Company for the year ending 30th September, 1874, when its affairs were still in the hands of the management which produced the unfortunate results above described for the two previous years. A new inquiry is clearly necessary into the accounts of that period and into the present position of the Company.

THE SPECIAL ERRORS IN ERIE ACCOUNTS.

THE SPECIAL ERRORS IN ERIE ACCOUNTS. From The London Economias, Oct. 17.

We have described above the general effect of the accountants' report on Erie affairs, but the mode in which the accounts have been made to show fletitious results of a favorable kind may also be worth some explanation. There are few cases of manipulating accounts in our experience in which the entries themselves are entirely fletitious, or in which something is entirely omitted in the books from which something is entirely omitted in the books from which the accounts are made up. The more usual course is for particular items which are actually in the books to be improperly dealt with, and the accountants in the present case appear to have had little difficulty in telling from the books themselves at what specific points the errors of the more important errors, including practically almost the entire £500,000 by which the revenue accounts are "wrong":

A. Atlantic and Great Western Railway Profit and Lose
Account. \$1,665,283 48
B. Boston, Harthord and Eric Railway Guaranteed Interest Account. \$605,810 13
C. Mesars. Biscond-theim & Goldschmidt's, Account of
Interest and Charges. 254,943 14
D. Surplus Stock, result of Inventory takes 31st December, 1872. 404,304 23

F. Beparation of Motive Power and Cara Account (Rolling Stock).

CHEFF TIPM.

G. Compons on Consolidated Books, due September.

1872, and March. 1873.

Compons on Convertible Bonds, due March. 1873.

Compons on Convertible Bonds, due March. 1873.

Govercharges to Road Department.

Thus the investigation is narrowed to a very few items, and the explanations in detail as to some of them appear not only to justify the accountants, but may well oxerted surprise as to how any management could pass them over. For instance, as to the first and largest item, which was no doubt mainly an error in the balance taken over by the new management, but which they certainly ought not to have accepted without inquiry, the accountants say:

REMARKS ON ITEM A (ATLANTIC AND ORBAT WESTERN), ANOUNTING TO \$1,665.283 43.

the accountables say:

INMARKS ON TIME A LATLANTIC AND GREAT WESTERN), AMOUNTING

To \$1,065.233 48.

This sum represents the loss incured by the Company in connection
with the working of the Atlantic and Great Western Railway, and consists of loss which, to the extent of \$1,081.25 130, had been ascertained and shown by the books to have existed up to the 30th Sept.

1871, and which had been set forth and treated as loss in the several
stations accounts for the pears 1809-70 and 1870-71; notwithstanding these facts, the item, increased to \$1,200,645 51, has been setfered to remain on the books as a asset, and was included in the statement of assets published by fresident Watson with his revort dated 28

Sept., 1873, accompanying the accounts to 30th June, 1873.

It is clearly impossible to suppose that on any pretext
a loss of the nature described, and which may never be
recomped at all, could be simply treated as a debt due
by another company. The Eric Company may choose
to say that the debt is a good asset, but the public and
the shareholders will not be so easily satisfied. But perhaps the most remarkable manipulation disclosed is
with reference to the items D, E, and F. The item D,
amounting to \$602,000, it is explained, arose from a
change in the mode of inventorying the stores. Freviously the practice had been, when stores had been issued for any work, to charge the amount so issued &t
once to capital or revenue according to the account to
which it belonged. In December, 1872, a new plan was once to capital or revenue according to the account to which it belonged. In December, 1872, a new plan was adopted, and the inventory was ordered to include stores actually issued but not consumed, the result being an apparent surplus of the above amount, but of course no real increase of the assets of the Company. The no real increase of the accountants remark :
accountants remark :
The correct method of dealing with these results of the inventor place of the correct method of dealing with these results of the inventor place of the correct method of dealing with these results of the inventor place o

With regard to E, the explanation is that the sum of With regard to E, the explanation is that the sam of \$500,000, though actually expended on roadway and buildings in the six months ending June 30,1873, was omitted from the profit and loss account on the curious ground that "the actual expenditure of the period was in excess of the amount properly due to the traffic of the period by that amount," on account of the roadway and buildings not having oeen kept in repair formerly—an excuse on which the accountants make the obvious remark that the sum should still have been charged to revenue some time or other, and not trapsferred to an "inoperative account." The explanation as to F is much the same, the reparation of rolling-stock having been dealt with in a similar fashion. There is little wonder that accounts thus dealt with, and as to which the real facts could not be concealed from prying eyes, failed to inspire real confidence, and became the subject of attacks which led to the appointment of the accountants. There are few things in reality more difficult than the successful conceainent of manipulations of accounts where there is any strong interest in knowing the truth, and the recent experience of the Eric Railway strongly illustrates the difficulty.

CIVILIANS' REDRESS FOR INSULT

Thomas McLoughlin of the Thirty-fifth Precinct police was arraigned yesterday before Commissioner Disbecker, on a charge of inefficiency. George H. Muller of Kingsbridge testified that on the morning of Oct. 17 two men attempted to break into his house. The burgiar alarm was set off, arousing the family. Mr. Muller sent to the station to request the attendance of an officer. McLoughlin was sent, and when he reached the house Mr. Muller smelt the fumes of liquor in his breath. It was also ascertained that about that time, 2 a. m., McLoughlin had arrested two suspicious persons, both of whom escaped from him. Mr. Muller believed that these men might have been the burglars who attempted to enter his house, and that it was owing to McLoughlin's inefficiency in not taking these men into the station that the burglars had a chance to break into his (Mr. Muller's) house. On account of absence of some witnesses, the case was adjourned until Nov. 6 Roundsman Roger O'Halloran of the Fifth Precinc was arraigned on charge of conduct unbecoming an officer, but Commissioner Disbecker refused to listen to the rest of the testimony, being satisfied that it was not a case that required the action of the Board.

oliver H. Keep, a salary broker at No. 71 Broadway, complained that Patrelman Cornelius Reagan of the Seventh Precinet had introduced David Murpay to him as a policeman, and he had lent Murphy 85 upon Reagan's introduction. He had since learned that Murphy was not a police officer, and Keep claimed that Murphy was not a police officer, and Keep claimed that Reagan had faisely represented the man to him. Reagan sald that he had no acquaintance with Murphy. He had met him at No. 71 Broadway, and Murphy had told him then that he was a policeman, and wanted to get an advance upon his salary. He thought that he could find Murphy, and the case was adjourned until Nov. 6.

Patroiman James McGowan of the Twenty-eighth Precinct was arraigned on charge of conduct unbecoming an officer, on complaint of Mrs. Keenan of No. 34 Dosbrosses-st., who called Officer McGowan to quell a disturbance in her store. He said that he would do so when he got ready. Considerable testimony of a conflicting character was given. The case was referred to the Board of Police Commissioners. Patroiman John Perran of the Fourth Precinct was arraigned on charge of having acted in a manner unbecoming an officer coward Mrs. Mercy Whittier, Matron of the Home for uttering" a forged note. SETTLEMENTS IN BANKRUPTCY QUESTIONS. In the case of Morris Reiman and Albert of having acted in a manner unbecoming an officer toward Mrs. Mercy Whittier, Matron of the Home for Fallon Women, at No. 273 Water-st. Commissioner Dis-becker ordered the case to be referred to the Board for

THE COURTS.

RESPONSIBILITY OF BROKERS.

PROCEEDINGS AGAINST POLHEMUS & JACKSON-LETTER FROM PAYMASTER HODGE. At the resumption yesterday in the United States Circuit Court of the trial of the suit of the United States against Polhemus & Jackson to recover about \$50,000 alleged to have been used by them in stock specu lations for ex-Paymaster Hodge, when they knew that it belonged to the Government, Gen. Pryor recalled Mr. Jackson, one of the defendants, and asked him if, during the years in which his firm had speculated for Hodge, he knew how paymasters' accounts with the Government were kept and settled. Mr. Tremain objected on the ground of immateriality, and Gen. Pryor said he wanted to show that the firm supposed that paymasters' accounts were settled every two or three months, and that, therefore, it was under the impression that Hodge's accounts were so settled and were all right. After some further discussion, the Court ex-cluded the question for the reason that "it would be going too far to allow it." The cross-examination developed nothing new, and Mr. Tremain put in evidence letter from Hodge to Polhemus & Jackson. The letter is dated, "Washington, Oct. 1, 1864," and the following are the important parts of it:

is dated, "Washington, Oct. 1, 1864," and the following are the important parts of it:

Mr. John B. Murray of New-York, who is, I believe, an operator through your house, has for a long time entertained an inveterate spite and hatred for me. \* \* \* Murray has written to the Paymaster-General and asked the following question: "Is an officer of your department, possessing your confidence, and near your person, instituded in communicating to third parties the substance of correspondence and conversations held by you with the Secretary of the Treasury, and in availing himself of such knowledge in speculations in stocks, thereby speculating, in fact, upon the necessities of the Government?" \* \* \* I fear that not knowing his relations to me, you may have mentioned my name and some item of information that has given him a clue. \* \* \* Please inform me at once whether he has any knowledge of your having acted as my brokers, and whether you have told him anything, and let him know from whom the information came. \* \* I would like, also, if you would at once destroy, or return to me by express, all my letters relating to financial or military news, and the copies of yours to me. Letters containing merely orders or general news might be preserved, as I consider I have a perfect right to operate in stocks with my private faulted on for a report. I will overhaul your letters to me, and my letter-press book, and return you or destroy any you or I think desirable.

An examination of the papers showing the transactions of Polhemus & Jackson with Hodge was then had, and it corroborated what Mr. Jackson testified to

had, and it corroborated what Mr. Jackson testified to in that respect on Wednesday. At the close of the ex amination of the papers Gen. Pryor said that he would rest the case for the defense, and Mr. Tremain recalled

amination of the papers Gen. Pryor said that he would rest the case for the defense, and Mr. Tremain recalled Mr. Hodge as a rebutting witness. He testified that he had never told Mr. Jackson anything about his resources except that he owned a house which he had cleared in real estate transactions.

Q. Did you know that the defendants knew that the money they were using for you was taken from that which you received as a paymaster in the army!

Gen. Pryor objected to the question on the ground that it put the witness in the place of a juror. The Court sust ined the objection, and Mr. Tremain announced that he had no further evidence to offer. Gen. Pryor then said that he was willing to submit the case to the jury on the junge's charge. Mr. Tremain replied that as he had been instructed to try the case thoroughly he could not assent to the proposition.

Judge Shipman stated that it would be better for both counsel to sum up, and Gen. Pryor began his closing argument. As the Judge incidentally remarked, "the only question in this case is, did the defendants know, when they were using Government funds!" Gen. Pryor's argument was confined to that question, and he contended that the evidence adduced would warrant the jury in answering it no other way than the negative. At the conclusion of Gen. Pryor's argument, the Court adjourned till to-day. adjourned till to-day.

MRS. MERRIGAN'S DEFENSE OF INSANITY. PHYSICIANS TESTIFY IN REGARD TO HER MENTAL CONDITION-SHE IS PRONOUNCED TO BE AN EPI-LEPTIC.

The interest in the trial of Mrs. Sarah Mer rigan is unabated, if the crowds which daily throng the Kings County Court-room of Oyer and Terminer affords any evidence. For, long before the doors were opened yesterday, an eager mass of people filled the hall and pressed upon the doors. Five minutes after they were opened every seat was occupied. The prisoner, who is very pleasant looking woman, sat most of the time with her head resting upon one hand, occasionally looking up when the witness testified to something which seemed to interest her specially. Chas. H. Miller testified that on the evening of May 10, 1871 when he was a police officer, he saw the defendant at the Sixth Precinct Station. He said she was absent-minded—unconscious of what was taking place around her to a great extent; could scarcely walk, and was assisted in by the police officer; she was in a state of stupor and there was difficulty of articulation. Daniel Dougherty, father of Mrs. Merrigan, testified that his daughter was very delicate and sick when she was arrested and was sick for a week afterward. The witness continued: She disappeared once before; I looked for two hours for her, and then found her at North Second and First-sts.; it was about 1 o'clock in the morning; she said she didn't know where she was going; she didn't seem to know what she was doing; she was unconscious when I got her home; she wouldn't pay any attention to what I could say; knew her to have fits before this-after she was married; she often complained to me of headache; my wife's brother was confined in the Lunatic Asylum at latbush for nearly a year; his name was John Mc-

The Rev. John G. Base testified that he was in the habit of visiting prisoners as a missionary; had seen the accused at Raymond-st, fall on an average of once a week for a long time; his conversations with her lemonstrated the fact that she was very absent-minded; he did not know that he had ever met such an absentminded woman before. Dr. Byrns of Clinton-st., Brooklyn, gave testimony concerning the effect of child-birth on the mind of a mother. He said if there was any hereditary taint of insanity about a mother, it was likely to develop in a woman when with child. Dr. Carlos F. McDonald Lunatic Asylum at Flatbush; he had given great attention to the subject of mental diseases; insanity he knew frequently resulted from epilepsy; most writers, he claimed, agree that epileptics are not responsible during their paroxysms, and both before and after the attack, particularly after, are not responsible; the recovery from the stuper is frequently gradual; while in that condition the victim of an attack might go about, but in a weakened condition; the fit described by the father of the accused was entirely consistent with epilepsy. The natural branch of the family seemed to be satu-The natural branch of the family seemed to be saturated with insanity. From what he had heard, his impression was that the accused was an epileptic. On being cross-examined the Dector said that epileptic attacks often occurred with intervals of months between. When he first visited Mrs. Merrigan at the jail he came to the conclusion that she was not insane; he did not think that the mind of the accused was as yet nermanently impaired.

ne came to the conclusion that saw was not hissaic; ne did not think that the mind of the accused was as yet permanently impaired.

Dr. Charles of No. 23 South Oxford-st., Brooklyn, swore that he had treated mental diseases for 20 years. The witness gave testimony similar to Dr. McDonald's in regard to the tendency of oplicey to produce insanity. He said that where a crime had been committed without an adequate motive by an epileptic, he should consider the act a result of the disease. Epileptic mania was sudden, and often passed away suddenly. Judging from the testimony he had heard he was of the opinion that, at the time of the dire, the accused was suffering from one of the obscurer forms of oplicpy. He was led to believe this for the additional reason that she had a strong tendency to hereditary insanity. Being cross-examined the Doctor said that he had examined Mrs. Merrigan while in Jail, but did not see enough then to establish her insanity. He now believed her to have been insane. All her acts on the night of the fire he thought consistent with the theory of epilepsy.

with the theory of epilepsy.

Michael C. Hart was placed on the stand to show that Michael C. Hart was paced on the stand to show that Mrs. Merrigan was not in need of money at the time of Maggie Hammill's death. He testified that he called on Mr. Merrigan before the tragedy and saw him with about \$40 in his possession. Daniel Dougherty testified that he had paid Merrigan \$30 just before the tragedy took place. The Court then adjourned until this morning. The case will be given to the jury to-day.

A FORGER SENTENCED FOR FIVE YEARS. Judge Brady sentenced yesterday Jerome B. razier, who was convicted a 'ew days ago in the Court of Over and Terminer of forgery in the third degree. He was tried on two counts, one charging him with forging the indorsement of D. J. Ely to bills on which a loan was to be raised, and the other with altering the same. As the District-Attorney did not ask a conviction on the first count, Frazier was only found guilty of

When Frazier was told to stand up yesterday morning to receive his punishment, he declared that he knew no wrong in his action in this instance, believing when he wrong in his action in this instance, believing when he passed the note that the signature was genuine. He strongly appealed to the elemency of the Court, in consideration of the destitute condition of his wife and children, who would be left penulless, and dependent upon the kindness of strangers. Judge Brady regised that crime would in thousands of instances he avoided if men would only think beforehand of their friends and those dependent upon themselves. He saw no reason why the prisoner was specially entitled to elemency, and accordingly he sentenced him to five years in the State Prison at hard labor.

Friedlander, alleged bankrupts, heretofore reported in

THE TRIBUNE, counsel for some of the creditors attacked the constitutionality of the Bankruptey law on the ground that it allowed bankrupts to obtain discharges

in bankruptcy without the consent of all their oreditors. In the case in question, a "composition" settlement was also objected to because it was made in notes and was also objected to because it was made in notes and not in each. In the United States District Court yester day, Judge Blatchford gave a decision in the case, it which he upholds the constitutionality or the law, and said that "composition" settlements could legally be made in notes. S. Boardman for the aliezed bankrupts, and D. Campbell and Chapman, Scott & Crowell for the objecting creditors, A. T. Stewart & Co. and Lazzard & Ferris.

TRIAL OF COMMISSIONER DAVENPORT. THE CIRCUMSTANCES UNDER WHICH GEORGE A HEINRICHS WASIMPRISONED-OTHER CHARGES OF MALPEASANCE.

The trial of Chief Supervisor of Elections, John I, Davenport, for malfensance in office was begun yesterday in the United States Circuit Court before Judge Woodruff. Col. Wingate conducted the prosecu tion, and ex-Judge Porter appeared for the defense Prominent among the specifications in the general charge against Davenport is his action in regard to George A. Heinrichs, a wealthy German citizen, and this was the first subject of inquiry yesterday. The first witness called was Mr. Heinrichs himself, and he

this was the first subject of inquiry yeaterday. Too first witness called was Mr. Heinrichs himself, and no testified substantially as follows:

I have been a citizen of this country since 1855; I am a Democrat, and have voted regularly: carry on the moroing of Oct. 19. 1872, two men came to my house and demanded to know my name; I esked one of them what it all meant; he snawered that it was about political affairs, and I refused to give him my name; he afterward arrested me on Davendort's warrant, and I was taken to the Fifth Avenue Hotel to see him, but he was not in; he soon come and I saked him if he would not hear me state my case; speaking; o an officer, Davenport said: "Take this man to Luddowst. Jail and lock him up till Monday morning, and thea bring him before me;" "I have a bondsman," I said; "Where is hel?" replied Davenport; "There he is," said I; Davenport then told me that he would take no more bondsmen that day; and that he must have two bondsmen in \$10,000 cach; he also directed the officer to keep me in Jail till Monday morning, and then to take me in a carriage to the Staten Island Ferry; when Shal, the one who asked me my name, came to my house he did not tell me that he had come to verify my registration; I offered Mr. Reigieman as my bondsman; I was taken to jail on Saturday night, and was retained there till 10:30 the following Monday, when I was taken before Davenport, who accepted Mr. Reigieman as my bail without asking for any other bondsman; at my first examination Shal was a witness against me, and before he testified I saw him enter Davenport's private room; he remained there about half an hour; when Shal came out of the room he said, in answer to a question, that he had been talking with Davenport about my case; for the purpose of having my eximination finished, I came to Davenport's office three or four times with my witnesses, and each time I was informed that Davenport was in Albany; on the first day all that was done was to examine Shal.

Cross-examined—When I was taken before

Geo. T. Langbein, one of Mr. Heinrich's counsel when his case was before Davenport, testified to the effect that, when Heinrichs was arrested, he called on Davenport and offered several men as bail for his client, but that the Commissioner refused to accept them, saying, "In this case I will accept no bad." The witness also testified that Davenport several times arbitrarily adjourned Heinrichs's examination. Col. Wingate offered to prove that Davenport had made alterations in an refused to allow him to do so on the ground that it had nothing to do with the question that it had nothing to do with the question at issue. Col. Wingate then desired to show that Mr. Heinrichs was selected for persecution because he was a respectable German citizen, and a severe dealing with him would intimidate the Germans, but evidence to that effect was excluded, as was also evidence to show the political effect of Heinrichs's arrest. John A.C. J. Langbeln, the brother of the previous witness, testified that all through the Heinrichs matter, Davenport acted in an insoient and arbitrary manner.

This closed the evidence in the Heinrichs case, and the following witnesses testified in support of the general

This closed the evidence in the Heurichs case, and the following witnesses testified in support of the general charge against Davenport:

Charles Hussey of No. 17 Oliver-st. said that he had been arrested on Davenport's warrant, and on a charge of refusing to answer the questions of a Deputy Supervisor of Elections, and that though he had repeatedly demanded an examination he had never been able to obtain it. W. P. Kirk, an ex-member of Assembly, corroborated Hussey's testimony, and said that Davenport was rejuctant to take bail for him. Bernara O'Neilt testified that Davenport had him arrested on a charge of inducing men to register faisely; that though he offered to get bail Davenport ordered him to be locked up in Jall; that he was flually required to furnish \$2,000 ball, and that he had never had an examination. The witness also stated that when he quired to furnish \$20,000 ball, and that he had never had an examination. The witness also stated hist when he was imprisoned, in October, 1872, he was a candidate for Alderman at large. William C. Barrett testified that when O'Neill was first arrested Davenport refused to accept ball for him, and Joseph Bell, counselor at law, corroborated his testimony in that particular. Thomas Dunphy testified that in 1871 he had heard Davenport urging persons to make affidavits at the Jackson Cluo, a political organization, and the Court adjourned this if

THE TRIBUNE published an article in 1872 on

the adulteration of milk by the venders of it in this city, showing, through the investigations of its reporters, that on the arrival of the cars at the Grand Central Depot the milk was put into cans already half full of water. One of the representatives of THE TRIBUNE bought a bottle of this milk from a man alleged to be the driver of a wagon for Aaron Genong, and it was sent to Prof. Chandler of the Board of Health for analysis. The Tribune published a list of milk-men who watered their milk, giving the name Mr. Genong among others. Mr. Genong called at the office and demanded a retraction, assuring the editor that if any watering was done it was without his knowledge. It was not charged that assuring the editor that if any watering was done it was without his knowledge. It was not charged that Mr. Genong knew anything about it, and an explanation was given. That the complainant did not consider satisfactory, and he brought suit for \$10,000 damages. The case was begon yesterday afternoon before Judge Donehue, in Supreme Court Circuit, Part II. The plaintiff's examination was brief, as it was not alleged that he knew anything about the adulteration. The next witness was the waxon driver, who testified that he never knew that the milk was watered. The case is still on. The counsel for plaintiff is Orlando Stewart; for defendants, C. A. Runkle and Judge Dittenhoefer.

THE CONTROL OF COLLEGE MONEY. Application for a mandamus will soon be nade to the Supreme Court to compel Controller Green to hand over to the Trustees of the College of the City of New-York \$150,000, the annual amount set aside for the care, maintenance, and government of the College. The trustees have been greatly hampered in their measures. No more money is asked for-only the right to control the fund annually appropriated for the use of the institution. For this money the trustees are responsible. They desire to be able to put the fund in a bank on which they can make drafts as they are necessary instead of being obliged to have the money doled sary instead of being obliged to have the money doled out by the Controller. There is no personal feeling in the matter. They say that it is a mere question of law, and the law gives them the power of controlling the fund. No workman, it is stated, likes to be employed by the College on account of the delay and difficulty experienced in getting pay. The Board of Trustees resolved, at a meeting held just before the Summer vacution, to take legal steps in the matter, and will soon bring the question into the courts.

A PERNICIOUS PRACTICE CONDEMNED.

The prevalent practice of making assignneuts of salaries by public officers, notwithstanding a law of Congress forbidding it in the case of United States officials, has been recently the subject of a decision in the Court of Appeals, the question at Assue being whether a public officer can assign his salary before it becomes due, or before it is earned. The practice has formed a large part of the business of brokers in this city. \$100,000 frequently representing the yearly transactions. Frequent suits were the result of failure on the part of one of the parties to the assignment, and one of these suits was brought sometime ago in the First one of these suits was brought sometime ago in the First District Court (Judge Quinn's), by John E. Bliss, a broker engaged in the business, against Charles K. Law-rence and George H. Gardner, employes in the Custom-

house.

Judge Quinn gave judgment for the defendant on the ground that such assignments were against the public policy. The case went to the Court of Appeals after passing through the (Common Pieas, where the decision of Judge Quinn was affirmed. The court of last resort has now stopped the business decidedly by another affirmation, Judge Johnson delivering the opinion of the Court.

MR. BIRDSALL IN HIS OWN DEFENSE.

To the Editor of The Tribune. SIR: I see in your newspaper to-day an article entitled, "Serious Charges Against a Lawyer." I hope you will do me impartial justice by publishing the following statement of the facts of this case:

About a year ago my firm became counsel in some Stephen H. Alden and his daughter. Last Spring Alden concluded to go back and five with a woman from whom he had been divorced and to take cosures to wrong his daughter out of her property, and litigations ensued between them. As counsel for both I was compelled to make my election beboth I was compelled to make my election between them, and seeing that right and justice were wholly on the daughter's side I as a matter of course remained as her counsel, and requested him by letter on April 15, 1874, to pay his bitt and take his cases away, which he has not done, but has attempted to get an order to remove his cases without paying our bill; but Judge Donehue made an order referring it to Mr. Chetwood to hear and determine the amount due us. On this examination a fellow named Julius L. Adams, whom I have not spoken to in two years, and who confessed on cross-camination that he had been indicted accrarial times for drunksuness, and had been indicted for personsting an officer, sworn to several alleged one